

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DANIEL WILKEN,

Plaintiff,

v.

FCA US, LLC,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

Case No. 22-cv-2015-SMY-RJD

**ORDER**

**DALY, Magistrate Judge:**

This matter comes before the Court on a Motion to Compel filed by Defendant FCA US, LLC and referred to the undersigned by District Judge Yandle, pursuant to the Federal Magistrate Act (as amended), 28 U.S.C. §636(b)(1)(A). Defendant served a subpoena upon third-party Mitchell Repair Company LLC, C/O CT Corporation in Glendale, California on July 8, 2024. Doc. 101-1, p. 6. Counsel for Defendant and Counsel for Mitchell Repair Company LLC (“Mitchell”) have been in contact regarding compliance with the subpoena since at least July 25, 2024. *Id.*, p. 13. Mitchell was to comply with the subpoena in Irvine, California on July 26, 2024. *Id.*, p. 2. Defendant now moves the Court to compel compliance. Doc. 101.

Irvine, California is not within the confines of this judicial district. Under Federal Rule of Civil Procedure 45(2)(B)(i), Defendant can “move *the court for the district where compliance is required* for an order compelling production or inspection” (emphasis added). Defendant cites Rule 45(2)(B)(i) but does not acknowledge that the rule requires this motion to be filed within the Central District of California. If Defendant had filed this motion in the Central District of

California, Mitchell could consent to its transfer to the Southern District of Illinois. Fed. R. Civ. P. 45(f). Perhaps Defendant and Mitchell have already discussed and determined that Mitchell does not object to simplifying that process and filing the motion here, but no such explanation is provided to this Court regarding that agreement. Moreover, the undersigned could not enforce the Order against Mitchell. *See id.* (“to enforce its order, the issuing court may transfer the order to the court where the motion was made”). Defendant’s Motion is DENIED.

**IT IS SO ORDERED.**

**DATED: March 27, 2025**

s/ Reona J. Daly  
**Hon. Reona J. Daly**  
**United States Magistrate Judge**